

PHILLIP A. TALBERT  
United States Attorney  
CHAN HEE CHU  
Assistant United States Attorney  
2500 Tulare Street, Suite 4401  
Fresno, California 93721  
Telephone: (559) 497-4000

Attorneys for Plaintiff  
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
NEW KEE XIONG,  
  
Defendant.

Case No. 1:24-cr-00075-JAM-BAM

STIPULATION TO CONTINUE STATUS  
CONFERENCE; ORDER

IT IS HEREBY STIPULATED by and between the parties through their respective counsel, Assistant United States Attorney Chan Hee Chu, counsel for the United States of America, and Assistant Federal Defender Griffin Estes, counsel for New Kee Xiong, that the Court may continue the Status Conference currently scheduled on August 14, 2024 to October 9, 2024. The parties are continuing to discuss a potential resolution in the matter.

Defense counsel also requires additional time to review discovery and discuss the matter with his client. Counsel for defendant believes that failure to grant the above-requested continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, as well as continuity of counsel.

Based upon the foregoing, the parties agree time under the Speedy Trial Act should be excluded of this order's date through and including the date October 9, 2024; pursuant to 18 U.S.C. §3161

(h)(7)(A) and (B)(iv) [reasonable time to prepare] and General Order 479, Local Code T4 based upon continuity of counsel and defense preparation and continuity of counsel.

Counsel and the defendant also agree that the ends of justice served by the Court granting this continuance outweigh the best interests of the public and the defendant in a speedy trial.

PHILLIP A. TALBERT  
United States Attorney

Date: August 7, 2024

/s/ Chan Hee Chu  
CHAN HEE CHU  
Assistant United States Attorney  
Attorney for Plaintiff

HEATHER E. WILLIAMS  
Federal Defender

Date: August 7, 2024

/s/ Griffin Estes  
GRIFFIN ESTES  
Assistant Federal Defender  
Attorney for Defendant  
NEW KEE XIONG

**ORDER**

IT IS SO ORDERED. The Status Conference currently scheduled on August 14, 2024, is continued to **October 9, 2024 at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe.**

The Court, having received, read, and considered the parties' stipulation, and good cause appearing therefore, adopts the parties' stipulation in its entirety as its order. The Court specifically finds the failure to grant a continuance in this case would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, as well as continuity of counsel. The Court finds the ends of justice are served by granting the requested continuance and outweigh the best interests of the public and defendant in a speedy trial.

The Court orders the time from the date the parties stipulated, up to and including the date of October 9, 2024, shall be excluded from computation of time within which the trial of this case must be commenced under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) [reasonable time for counsel to prepare].

IT IS SO ORDERED.

Dated: August 7, 2024

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE